

agreement with dispatch as is required under the agreement and was concerned that before plaintiffs' problems could be assuaged, she would have graduated from high school.

A non-jury trial is set May 30, 2006 which will determine whether defendant has exercised due diligence in implementing the settlement agreement. Apparently, plaintiff J.S. is completing her sophomore year and will have two more years to complete her high school education. Accordingly, she asserts that time is of the essence. Defendant suggested that plaintiff has been accommodated in all of her classes except two, and will be accommodated as to those classes when the new construction has been completed.

Some of the issues raised in the current motion will need to be decided at the trial on May 30, 2006. Accordingly, it appears inappropriate to resolve the current motion until the hearing is completed.

IT IS THEREFORE ORDERED that plaintiffs' motion for contempt may be reinstated.

IT IS FURTHER ORDERED that the motion for contempt will be taken with the case at the time of the trial on May 30, 2006.

Dated this 19th day of April, 2006.

A handwritten signature in black ink, reading "Stephen H. Limbaugh". The signature is written in a cursive, flowing style with a horizontal line extending from the end.

SENIOR UNITED STATES DISTRICT JUDGE